



CITY OF MEMPHIS

COUNCIL AGENDA

May 17, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (May 3, 2016)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION honoring Stanley Morgan for his induction into the first class of University of Tennessee Athletic Hall of Fame for his accomplishments in Football. This resolution is sponsored by Councilwoman Swearengen. (Held from 5/3)

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION congratulating Central High School girls basketball team for an outstanding season. This resolution is sponsored by Councilman Ford. (Held from 5/3)

ACTION REQUESTED: Adopt the resolution

3. RESOLUTION declaring May 26, 2016 to be Brooks Museum of Art Day in the city of Memphis, celebrating the 100th anniversary of the founding of the Brooks Museum of Art. This resolution is sponsored by Councilwoman Swearengen.

ACTION REQUESTED: Adopt the resolution

PUBLIC HEARINGS

4. RESOLUTION approving a street/alley closure located on Coughlin Drive between Brooks Road and Stonebrook Avenue, containing 2.058 acres in the Employment (EMP) District. This resolution is sponsored by the Office of Planning & Development. (Held from 4/15;5/20;10/7;10/21;11/18;12/16;1/20;3/17;4/21;7;21;10/6; 4/5; 5/3)
Case No. SAC 13-605

Colvett
Chairman,
Planning &
Zoning
Committee

Applicant: City of Memphis Engineering Division
Bill Wood, Pickering Firm – Representative

Request: Close and vacate a portion of Coughlin Drive Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

25 NOTICES WERE MAILED ON MARCH 6, 2015

DIVISION OF PLANNING AND DEVELOPMENT

5. RESOLUTION approving a hotel/motel waiver for Regents Group, LLC (Representative: Kishor Patel) D/B/A/: America's Best Value Inn, located at 4060 Lamar Avenue. This resolution is sponsored by the Office of Planning & Development.

Colvett
Chairman,
Planning &
Zoning
Committee

HMW 16-04

ACTION REQUESTED: Adopt the resolution

6. RESOLUTION approving a street/alley closure located south of Larkin Avenue, north of William Fields Avenue (formerly Exchange Avenue), and extending east of N. Claybrook Street for a distance of approximately 248.20 feet, containing 0.086 acre or 3,724 square feet, in the Residential Urban-3 (RU-3) District. This resolution is sponsored by the Office of Planning & Development.

Colvett
Chairman,
Planning &
Zoning
Committee

Case No. SAC 16-06

Applicants: JBJ Properties and Eastern Star Missionary Baptist Church
Parker, Estes and Associates (Will Sawtelle) – Representative

Request: Close the unused right of way and quit claim to abutting property owners

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

7.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a street/alley closure located between 358 & 362 North Main Street, extending to November 6th Street, containing 2,450 sq. ft., in the public right-of-way abutting property zoned Mixed Use (MU) District. This resolution is sponsored by the Office of Planning and Development.

Case No. SAC 16-07

Applicant: Reginal Crawford
Tim McCaskill – Representative

Request: To close an existing alley 16.5' in width and 148.8' in width within the Uptown Special Purpose District

LUCB and OPD recommendation; APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE – THIRD AND FINAL READING (None)



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCES - SECOND READING

8. **ORDINANCE** to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits for general purposes for the Fiscal Year July 1, 2016 through June 30, 2017, inclusive, together with all collections from privileges, licenses, fees, fines, permits, charges, requests, transfers from non-budget accounts, earnings, refunds and all other items constituting the revenue receipts of the City of Memphis for the Fiscal Year July 1, 2016 through June 30, 2017, inclusive, to provide the manner in which monies may be transferred from one fund to another and to provide the standard code of designations under which the appropriations are to be administered and accounting control maintained, up for S E C O N D reading. Ordinance No. 5616 is sponsored by Finance Division.

Ford
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

9. **ORDINANCE** to fix the Tax Rate of the City of Memphis for Fiscal Year 2017, up for S E C O N D reading. Ordinance No. 5617 is sponsored by Finance Division.

Ford
Chairman,
Budget
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

10. **ORDINANCE** designating and approving various uses and purposes for the City's Park, known as Overton Park pursuant to Section 579.1 of the Charter and to ratify the March 1, 2016 Memphis City Council resolution designating and approving various uses and purposes for the City's Park, known as Overton Park as modified by this Ordinance Nunc Pro Tunc to the effective date of resolution, up for S E C O N D reading. Ordinance No. 5618 is sponsored by Chairman Conrad.

Conrad
Chairman,
Executive
Session

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE - FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)



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MLGW FISCAL CONSENT

11. RESOLUTION awarding a contract to CG Power Systems USA, Inc. for small power transformers, in the amount of \$77,158.00.
12. RESOLUTION approving Change No. 4 to Contract No. 10171, Operating System Recovery Project, with NewEra Software, Incorporated, in the funded amount of \$2,250.00. (This change is to renew the hardware and software maintenance, licenses, and support services for one year in the funded amount of \$2,250.00 covering the period September 1, 2016 through August 31, 2017. In addition, this renewal reflects a 5% increase in maintenance costs from the previous year due to additional development of the NewEra Software, Incorporated. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by NewEra Software, Incorporated.)
13. RESOLUTION approving Change No. 9 to Contract No. 9547, IBM Maintenance, with International Business Machines (IBM), in the funded amount of \$236,220.34. (This change is to renew the current contract for annual software licenses, maintenance, and support for the following IBM products: WebSphere MQ (Message Queue) z/OS, Enterprise COBOL z/OS (Operating System for IBM's zSeries 900 Servers), z/OS Base, z/OS DFSORT and WebSphere MQ processors. This renewal is for the period covering July 1, 2016 through June 30, 2017. In addition, for the period covering January 1, 2017 through June 30, 2017, this change will reflect an increase not to exceed 5% in the unit cost due to IBM changing their licensing model effective January 1, 2017. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by IBM.)
14. RESOLUTION awarding a contract to Automic Software, Inc., for Automic annual software maintenance renewal, in the amount of \$47,241.30.
15. RESOLUTION approving Change No. 8 To Contract No. 11179, Business Objects Software License and Related Service Agreement, with SAP Public Services, Incorporated, in the funded amount of \$48,883.75. (This change is to renew the current contract for annual software maintenance for the SAP Business Objects Web Intelligence software covering the period November 4, 2016 through December 29, 2017, with no increase in rates from the previous year. MLGW is requesting continuous maintenance of the acquired system, which can only be performed by SAP Public Services, Incorporated.)

ENGINEERING (None)

NOTATIONS FROM OPD (None)



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REGULAR AGENDA

GENERAL ORDINANCE – THIRD AND FINAL READING (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (none)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES

16. RESOLUTION allowing the City of Memphis through the Division of Police Services to accept grant funds in the amount of \$197,000.00 from the Tennessee Office of Criminal Justice Programs. This resolution is sponsored by Police Services.
- Morgan
Chairman,
Public Safety &
Homeland Security
Committee
- ACTION REQUESTED: Adopt the resolution

DIVISION OF PUBLIC WORKS

17. RESOLUTION requesting the approval of the sale of the Old Central Police Station acquired by the City of Memphis as shown in Plat Book 3, Page 113, located at 128 Adams Avenue (Adams Historic District) in Memphis, Shelby County, Tennessee and further described as Parcel 002019 00001, which must be subdivided to exclude the Fire Museum and Civic Center Garage. Per ordinance, the sale of the subject parcel is subject to the offer laying over for a future Council meeting to allow for an increase of bid. Therefore, the second reading and approval of increase in bids, subject to the initial increase being a minimum of \$500.00 and additional bids being \$50.00 or more, if any, shall be deemed as approval of sale. Resolution also authorizes the Mayor to execute the necessary documents in connection with the sale. This resolution is sponsored by General Services.
- 2nd &
Final Reading
Hedgepeth
Chairman,
Public Works,
Transportation
& General
Services
Committee

ACTION REQUESTED: Adopt the resolution

18. RESOLUTION to transfer and appropriate construction funds to install floating boom systems in four locations in McKellar Lake to capture floatable trash. The total amount is \$351,162.00 and will be transferred from ST04038 to ST04051. This resolution is sponsored by Public Works Division.
- Hedgepeth
Chairman,
Public Works,
Transportation
& General Services
Committee

ACTION REQUESTED: Adopt the resolution

GENERAL ITEM

19. RESOLUTION amending the City Council Rules of Procedure. This resolution is sponsored by Councilman Ford.
- Ford
Chairman,
Rules
Committee

ACTION REQUESTED: Adopt the resolution

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT

ADD-ONS

20. **Consent** **ORDINANCE** to amend Title 5, Chapter 5-20 of the Memphis Municipal Code to modify the use of the existing Hotel/Motel Occupancy Tax for the period from December 1, 2015 to June 30, 2016, up for F I R S T reading. Ordinance No. 5619 is sponsored by Finance Division.
Ford
Chairman,
Budget
Committee
ACTION REQUESTED: Adopt the ordinance on First reading
21. **RESOLUTION** accepting and appropriating grant funds in the amount of \$15,000.00 from the National Recreation and Park Association Out-of-School Time Program, in partnership with the Walmart Foundation for Recreation Services' out-of-school time programs. This resolution is sponsored by Park Services.
Swearengen
Chairman,
Parks &
Environment
Committee
ACTION REQUESTED: Adopt the resolution
22. **RESOLUTION** accepting and appropriating \$10,000.00 in grant funds from the TN Dept. of Agriculture Forestry Division to support the Urban & Community Forestry Program within the community. This resolution is sponsored by Park Services.
Swearengen
Chairman,
Parks &
Environment
Committee
ACTION REQUESTED: Adopt the resolution
23. **RESOLUTION** accepting conference sponsorships, donations, and registration and exhibit fees for the 2016 Neighborhoods USA Conference in the amount of approximately \$90,000.00 and the submission of all required documents to collect, obligate, and expend conference revenue. This resolution is sponsored by Housing and Community Development.
Brown
Chairman,
Housing &
Community
Development
Committee
ACTION REQUESTED: Adopt the resolution
24. **RESOLUTION** to extend Title 6, Chapter 9, Section 7(18)(c) of the City of Memphis' Equal Business Opportunity ("EBO") Program Ordinance for a period of ninety (90) days; from July 1, 2016 through September 30, 2016 until the completion of an updated disparity study. This resolution is sponsored by Finance Division.
Boyd
Chairman,
Economic
Development &
Tourism
Committee
ACTION REQUESTED: Adopt the resolution
25. **RESOLUTION** transferring \$500,000.00 from A/E to Contract Construction to complete renovations @ 170 N. Main. This resolution is sponsored by General Services.
Hedgepeth
Chairman,
Public Works,
Transportation &
General Services
Committee
ACTION REQUESTED: Adopt the resolution

ADD-ONS (CONT.)

26. RESOLUTION transferring construction funds from SW02001 (Rehab Existing
Hedgepeth Sewers) to SW02140 (Nonconnah Stab. @ S Cypress Creek), to replace a failed
Chairman, section of the 96" Nonconnah Sewer Interceptor near Riverport Road, in the total
Public Works, amount of \$6,804,081.00 funded by Pay Go-Sewer. This resolution is sponsored
Transportation by Public Works Division.
& General Services
Committee ACTION REQUESTED: Adopt the resolution

ACTION TAKEN BY COUNCIL ON THIS DATE

1. Dropped
2. & 3 – Approved
4. Held until July 5, 2016
5. Through 9 – Approved
10. Approved, 3rd and Final Reading held to July 5, 2016
11. Through 26 – Approved

ACTION TAKEN BY COUNCIL ON THE MINUTES OF MAY 3, 2016 MEETING

Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF TIEMS #21, #22, #23, #24, #25 & #26
FROM TONIGHT'S MEETING**

Approved